

REMARKS

Entry of the foregoing amendments, and reexamination and reconsideration of the subject application, pursuant to and consistent with 37 C.F.R. § 1.104 and § 1.112, and in light of the following remarks, are respectfully requested.

The indication of allowable subject matter is gratefully acknowledged.

Amendments, Drawing, and Objection

Claim 5 has been amended to clarify that the vehicle is a conventional vehicle powered by an internal combustion engine where such vehicles have a rechargeable battery associated with the electrical system (e.g., Background section) and typically used for the starter motor, and another rechargeable battery for the lamp (e.g., paragraph bridging pages 4 and 5; 219 in Fig. 2). Claim 7 has been cancelled, without prejudice or disclaimer.

Rejections under 35 U.S.C. 102

The rejection of claims 5-9 over Swayne is respectfully traversed.

Swayne clearly does not show two batteries. The portion at col. 3 (ln. 23-36) teaches that the electrical connection to the lamp is via the usual battery and is made in series with the ignition for the car. Contrary to the rejection (page 7, third paragraph), Swayne does not show a battery having a separate electrical connection for recharging, but rather includes a by-pass switch for energizing the lamp when the ignition switch is off.

Relevant Prior Art

The present claims are directed to a headlamp. In contrast, all of the cited art (including Swayne) is directed to a taillamp, or a "fender" lamp (such as hidden in the gas cap, or a rechargeable flashlight mounted to the dashboard or steering column (or a replacement for the dome light or ashtray). Various of the interiorly-mounted devices describe a "low profile" so as not to take up significant space, which is not a problem in the instant invention because the device is housed in the headlamp space.

In short, none of the art shows or suggests a device that functions as a lamp during normal use of the vehicle, and especially not a headlamp, that is connected to both the vehicle's battery and to a separate rechargeable battery, that is removeable for use. None of the permanent lamps in the art (e.g., taillamps) have a connection to a separate battery, and the interiorly-mounted flashlights are not normally in use (and not normally present) in a standard vehicle. Therefore, withdrawal of the rejections is now believed to be in order.